

**Correspondence Between
Staff and Applicant
Approval Letter**



4/16/19

George Pasquel III
Withey Morris, PLC
2525 E Arizona Biltmore Cir A-212
Phoenix, AZ 85016

RE: 5-ZN-2019
Sunday Goods
L2169 (Key Code)

Dear Mr. Pasquel:

The Planning & Development Services Division has completed the review of the above referenced development application submitted on 3/6/19. The following **1st Review Comments** represent the review performed by our team, and is intended to provide you with guidance for compliance with city codes, policies, and guidelines related to this application.

Zoning Ordinance and Scottsdale Revise Code Significant Issues

The following code and ordinance related issues have been identified in the first review of this application, and shall be addressed in the resubmittal of the revised application material. Addressing these items is critical to scheduling the application for public hearing, and may affect the City Staff's recommendation. Please address the following:

Zoning:

1. As discussed preliminarily through email and in person at the pre-application meeting for the proposal, there is a concern whether the proposed C-O district is consistent with other rezoning cases within the Old Town boundary. Downtown zoning changes over the past 13 years resulted in the underlying district to be a Downtown (D) subdistrict (the past 45 cases). The few handful exceptions to the D subdistrict were instances where a property/building had two zoning districts, or a P-2 supplemental district was removed, so those minor cases were done to "clean up" the zoning record. Although the D zoning district does not allow for medical marijuana uses, an alternative may be the pursuit of the Planned Block Development (PBD) overlay in combination with the D district which allows for land uses to be added within the D district. The PBD district has a minimum district size requirement of 20,000 square feet, however, there may be the opportunity to acquire additional adjacent property.
2. As currently proposed, the scope of the rezoning request is limited to 4255 N. Winfield Scott Plaza. Unless the proposed boundary of the zoning request is modified (possibly in accordance with comment #1 above), please revise the site plan and other application

materials to be limited only to the improvements proposed with the rezoning on 4255 N. Winfield Scott Plaza.

3. Please revise the site plan and/or provide additional documentation as necessary to demonstrate the existing building and proposed additions are in conformance with Zoning Ordinance Table 5.3006.C.1. and Section 5.3006.F1.b. for building setbacks and building location.
4. Please revise the building elevations and/or provide additional documentation as necessary to demonstrate the existing building and proposed additions are in conformance with Zoning Ordinance Section 5.3006.H.3., regarding building setbacks.
5. Please revise the parking calculations and the proposed site plan to provide a minimum of 4% of the provided parking as accessible parking, in accordance with Zoning Ordinance Section 9.105.

General Plan:

6. The subject site is within a 2001 General Plan-designated, Growth Area. As such, please respond to General Plan Growth Area Element Goal 1, bullet 3 as well as OTSCAP Public Character & Design policy CD 11.3. The subject site is adjacent to powerlines on the eastern edge of the property. Please underground the powerlines in conjunction with the development request as this would benefit the development site, adjacent properties, and the Brown & Stetson District.
7. Although the narrative responds to Goal CD 5 of the OTSCAP regarding public art, it is not clear if the applicant will provide public art as a result of the proposal. With a resubmittal, please provide a clear response as to what will be provided as a result of development. Furthermore, update all site plan materials to reflect such.
8. If further outreach has been conducted since the original submittal, and as a response to Goal 1 of the Community Involvement Element, with a resubmittal, please provide an updated Citizen Involvement Report that describes the key issues that have been identified through the public involvement process.

Significant Policy Related Issues

The following policy related issues have been identified in the first review of this application. While these issues may not be critical to scheduling the application for public hearing, they may affect the City Staff's recommendation pertaining to the application and should be addressed with the resubmittal of the revised application material. Please address the following:

Site Design:

9. Please revise the site plan to provide at least one (1) refuse enclosure to serve the development, in accordance with the Design Standards & Policies Manual Section 2-1.309., or provide a refuse plan and associated agreements that identify maintenance of an existing off-site agreement. Refuse design should be in compliance with the following standards:

Circulation:

10. Please revise the site plan to identify an additional two (2) foot alley dedication adjacent to the eastern property line, in accordance with the Design Standards & Policies Manual Sections 2-1.601. and 5-3.800.

11. Please revise the site plan so that all new sidewalks are a minimum width of six (6) feet, in accordance with the Design Standards & Policies Manual Section 2-1.808.

Technical Corrections

The following technical ordinance or policy related corrections have been identified in the first review of the project. While these items are not as critical to scheduling the case for public hearing, they will likely affect a decision on the final plans submittal (construction and improvement documents) and should be addressed as soon as possible. Correcting these items before the hearing may also help clarify questions regarding these plans. Please address the following:

Site:

12. The proposed site plan identifies the required parking ratio for the "retail" use. Medical marijuana is considered a "medical office" use. Please revise the use classification identified on the site plan.
13. The building area tabulations in the site data are inconsistent. One section calls out the "proposed building area" at 4,291 SF and then another section calls out the "building addition area" at 3,890 SF. Please clarify and revise the site data accordingly.

Please resubmit the revised application requirements and additional/supplemental information identified in Attachment A, Resubmittal Checklist, and a written summary response addressing the comments/corrections identified above as soon as possible for further review. The City will then review the revisions to determine if the application is to be scheduled for a hearing date, or if additional modifications, corrections, or additional/supplemental information is necessary.

PLEASE CALL 480-312-7767 TO SCHEDULE A RESUBMITTAL MEETING WITH ME PRIOR TO YOUR PLANNED RESUBMITTAL DATE. DO NOT DROP OFF ANY RESUBMITTAL MATERIAL WITHOUT A SCHEDULED MEETING. THIS WILL HELP MAKE SURE I'M AVAILABLE TO REVIEW YOUR RESUBMITTAL AND PREVENT ANY UNNECESSARY DELAYS. RESUBMITTAL MATERIAL THAT IS DROPPED OFF MAY NOT BE ACCEPTED AND RETURNED TO THE APPLICANT.

In an effort to get this Zoning District Map Amendment request to a Planning Commission hearing, please submit the revised material identified in Attachment A as soon as possible.

These **1st Review Comments** are valid for a period of 180 days from the date on this letter. The Zoning Administrator may consider an application withdrawn if a revised submittal has not been received within 180 days of the date of this letter (Section 1.305. of the Zoning Ordinance).

If you have any questions, or need further assistance please contact me at 480-312-2258 or at bcluff@ScottsdaleAZ.gov.

Sincerely,



Bryan Cluff
Senior Planner

ATTACHMENT A
Resubmittal Checklist

Case Number: **5-ZN-2019**

Please provide the following documents, in the quantities indicated, with the resubmittal (all plans larger than 8 ½ x11 shall be folded):

Digital submittals shall include one copy of each item identified below.

- ☒ One copy: COVER LETTER – Respond to all the issues identified in the first review comment letter.
- ☒ One copy: Revised Narrative for Project
- ☒ One copy: Commitment for Title Insurance

- ☒ Context Aerial with the proposed Site Plan superimposed

Color	<u>2</u>	24" x 36"	<u>1</u>	11" x 17"	<u>1</u>	8 ½" x 11"
-------	----------	-----------	----------	-----------	----------	------------

- ☒ Site Plan:

<u>8</u>	24" x 36"	<u>1</u>	11" x 17"	<u>1</u>	8 ½" x 11"
----------	-----------	----------	-----------	----------	------------

- ☒ Elevations:

Color	<u>1</u>	24" x 36"	<u>1</u>	11" x 17"	<u>1</u>	8 ½" x 11"
B/W	<u> </u>	24" x 36"	<u> </u>	11" x 17"	<u> </u>	8 ½" x 11"

- ☒ Landscape Plan:

Color	<u> </u>	24" x 36"	<u> </u>	11" x 17"	<u> </u>	8 ½" x 11"
B/W	<u>1</u>	24" x 36"	<u>1</u>	11" x 17"	<u>1</u>	8 ½" x 11"



Planning and Development Services Division

7447 East Indian School Road
Scottsdale, Arizona 85251

Date: 3/6/19
Contact Name: George & Pasquel
Firm Name: Witherly Morris
Address: _____
City, State, Zip: _____

RE: Application Accepted for Review.

652 - PA - 2018

Dear George:

It has been determined that your Development Application for SUNDAY GOODS has been accepted for review.

Upon completion of the Staff's review of the application material, I will inform you in writing or electronically either: 1) the steps necessary to submit additional information or corrections; 2) the date that your Development Application will be scheduled for a public hearing or, 3) City Staff will issue a written or electronic determination pertaining to this application. If you have any questions, or need further assistance please contact me.

Sincerely,

Name: BRYAN CLUFF
Title: SR. PLANNER
Phone Number: (480) 312 - 2258
Email Address: bcluff @ScottsdaleAZ.gov

5-ZN-2019
3/6/2019

March 14, 2019

Response to 1st Review Comments dated 4/16/19
5-ZN-2019 – Sunday Goods
(associated case 2-UP-2019)

Zoning Ordinance and Scottsdale Revise Code Significant Issues

Zoning:

1. As discussed preliminarily through email and in person at the pre-application meeting for the proposal, there is a concern whether the proposed C-O district is consistent with other rezoning cases within the Old Town boundary. Downtown zoning changes over the past 13 years resulted in the underlying district to be a Downtown (D) subdistrict (the past 45 cases). The few handful exceptions to the D subdistrict were instances where a property/building had two zoning districts, or a P-2 supplemental district was removed, so those minor cases were done to "clean up" the zoning record. Although the D zoning district does not allow for medical marijuana uses, an alternative may be the pursuit of the Planned Block Development (PBD) overlay in combination with the D district which allows for land uses to be added within the D district. The PBD district has a minimum district size requirement of 20,000 square feet, however, there may be the opportunity to acquire additional adjacent property.

TRUE, THIS APPLICATION IS SOMEWHAT OF AN ANOMOLY, BUT THE RESTRICTIONS AND REQUIREMENTS OF THE ZONING ORDINANCE, COMBINED WITH STATE REGULATIONS TO PROVIDE DISPENSARIES IN UNDERSERVED AREAS, MAKE A UNIQUE APPLICATION NECESSARY. AS NOTED IN THE COMMENT, THE (D) DISTRICT DOES NOT ALLOW THE PROPOSED USE, SO IT IS NOT A VIABLE DISTRICT. AS ALSO NOTED IN THE COMMENT, SOME PAST CASES HAD ATYPICAL CIRCUMSTANCES WHICH WARRANTED FORGOING A (D) DISTRICT – THIS IS A SIMILAR, ATYPICAL CIRCUMSTANCE. INCREASING THE SIZE OF THE APPLICATION TO REQUEST A PBD DISTRICT WAS INVESTIGATED BUT BECAME UNATTAINABLE GIVEN THE SMALL SIZE OF THE PROPERTIES UNDER CONTROL AND THE LIMITED CONTIGUOUS EXPANSION OPTIONS. IT SHOULD BE NOTED, THE SIZE OF THE BUILDING HOUSING THE USE WOULD BE THE SAME UNDER THE EXISTING APPLICATION SIZE OR UNDER A 20K SQFT APPLICATION.

2. As currently proposed, the scope of the rezoning request is limited to 4255 N. Winfield Scott Plaza. Unless the proposed boundary of the zoning request is modified (possibly in accordance with comment #1 above), please revise the site plan and other application materials to be limited only to the improvements proposed with the rezoning on 4255 N. Winfield Scott Plaza.

5-ZN-2019
5/15/2019

CORRECT, THE APPLICATION IS LIMITED TO 4255 N WINFIELD SCOTT. THE APPLICANT PLANS TO IMPLEMENT A SERIES OF IMPROVEMENTS TO SURROUNDING PRIVATE, AND POTENTIALLY PUBLIC, PROPERTY TO MORE FULLY ENHANCE THE AREA AND CREATE A MORE COHESIVE PUBLIC REALM. WE BELIEVE THIS CONTEXT IS IMPORTANT, BUT THE ACTUAL REZONING AND CUP REQUEST ARE LIMITED TO 4255. APPLICATION DOCUMENTS HAVE BEEN ADJUSTED ACCORDINGLY.

3. Please revise the site plan and/or provide additional documentation as necessary to demonstrate the existing building and proposed additions are in conformance with Zoning Ordinance Table 5.3006.C.1. and Section 5.3006.F1.b. for building setbacks and building location.

THE PROPOSED PROJECT STAYS WITHIN THE BOUNDS OF THE EXISTING BUILDING FOOTPRINT AND MAINTAINS THE EXISTING CONDITION AND SETBACKS PER SEC7.201 B.1 AND 5.3006.I.5

4. Please revise the building elevations and/or provide additional documentation as necessary to demonstrate the existing building and proposed additions are in conformance with Zoning Ordinance Section 5.3006.H.3., regarding building setbacks.

THE BUILDING IS IN CONFORMANCE WITH 5.3006.H.3. SEE SHEET A4.2.1 FOR ILLUSTRATED CONFORMANCE WITH SETBACKS.

5. Please revise the parking calculations and the proposed site plan to provide a minimum of 4% of the provided parking as accessible parking, in accordance with Zoning Ordinance Section 9.105.

THE PARKING CALCULATIONS HAVE BEEN REVISED TO CORRESPOND TO PARCEL 173-51-072A ONLY. 4% OF 14.61 SPACES ARE REQUIRED, WHICH WOULD BE .58 SPACES, ROUNDED UP TO 1 SPACE REQUIRED. ONE ADA SPACE IS PROVIDED, SEE A1.1.1 SITE PLAN.

General Plan:

6. The subject site is within a 2001 General Plan-designated, Growth Area. As such, please respond to General Plan Growth Area Element Goal 1, bullet 3 as well as OTSCAP Public Character & Design policy CD 11.3. The subject site is adjacent to powerlines on the eastern edge of the property. Please underground the powerlines in conjunction with the development request as this would benefit the development site, adjacent properties, and the Brown & Stetson District.

THE GROWTH AREA ELEMENT AND OTSCAP CHARACTER AND DESIGN POLICY HAVE BEEN ADDED TO THE APPLICATION NARRATIVE AND APPROPRIATELY RESPONDED TO. WITH THE DEVELOPMENT OF THIS PROJECT, THE EXISTING ABOVE-GROUND UTILITY LINE ALONG THE EAST EDGE OF THE PROPERTY WILL BE BURIED.

7. Although the narrative responds to Goal CD 5 of the OTSCAP regarding public art, it is not clear if the applicant will provide public art as a result of the proposal. With a resubmittal, please provide a clear response as to what will be provided as a result of development. Furthermore, update all site plan materials to reflect such.

THE APPLICANT IS INVESTIGATING THE IMPLEMENTATION OF ARTWORK (PUBLIC OR OTHER) ON ADJACENT CITY LAND. THIS WILL OCCUR UNDER SEPARATE DISCUSSION/APPLICATION.

8. If further outreach has been conducted since the original submittal, and as a response to Goal 1 of the Community Involvement Element, with a resubmittal, please provide an updated Citizen Involvement Report that describes the key issues that have been identified through the public involvement process.

AN UPDATED CITIZEN INVOLVEMENT REPORT IS PROVIDED WITH THIS RESUBMITTAL.

Significant Policy Related Issues

Site Design:

9. Please revise the site plan to provide at least one (1) refuse enclosure to serve the development, in accordance with the Design Standards & Policies Manual Section 2-1.309., or provide a refuse plan and associated agreements that identify maintenance of an existing off-site agreement. Refuse design should be in compliance with the following standards:

REFUSE ENCLOSURE ADDED TO THE SITE PLAN, CONFORMING TO CITY OF SCOTTSDALE DETAIL 2146-1. SEE SHEET A1.1.1

Circulation:

10. Please revise the site plan to identify an additional two (2) foot alley dedication adjacent to the eastern property line, in accordance with the Design Standards & Policies Manual Sections 2-1.601. and 5-3.800.

THE 2'-0" ALLEY DEDICATION HAS BEEN ADDED TO THE SITE PLAN. SEE SHEET A1.1.1

11. Please revise the site plan so that all new sidewalks are a minimum width of six (6) feet, in accordance with the Design Standards & Policy Manual Section 2-1.808.

NEW SIDEWALKS ARE SHOWN WITH A MINIMUM OF 6' IN WIDTH. SEE SITE PLAN SHEET A1.1.1

Technical Corrections

Site:

12. The proposed site plan identifies the required parking ratio for the "retail" use. Medical marijuana is considered a "medical office" use. Please revise the use classification identified on the site plan.

THE USE CLASSIFICATION HAS BEEN REVISED TO MEDICAL OFFICE.

13. The building area tabulations in the site data are inconsistent. One section calls out the "proposed building area" at 4,291 SF and then another section calls out the "building addition area" at 3,890 SF. Please clarify and revise the site data accordingly.

SITE AND FLOOR PLAN DATA HAVE BEEN CLARIFIED. BUILDING SF IS 2,310 SF.

Cluff, Bryan

From: Curtis, Tim
Sent: Friday, November 08, 2019 11:25 AM
To: Wilson, Margaret; Cluff, Bryan
Subject: FW: 652-PA-2018; 4255 N. Winfield Scott Plaza

From: Curtis, Tim
Sent: Wednesday, August 29, 2018 11:52 AM
To: Carr, Brad <bcarr@scottsdaleaz.gov>
Subject: FW: 652-PA-2018; 4255 N. Winfield Scott Plaza

From: Curtis, Tim
Sent: Friday, August 24, 2018 3:31 PM
To: George Pasquel (george@witheymorris.com) <george@witheymorris.com>
Cc: Cluff, Bryan <BCluff@Scottsdaleaz.gov>
Subject: 652-PA-2018; 4255 N. Winfield Scott Plaza

George,
Thanks for your patience regarding the scheduling of your preapplication meeting for 652-PA-2018 (4255 N. Winfield Scott Plaza).

An initial concern is whether the proposed C-O district is consistent with other rezoning cases in downtown. Downtown zoning changes over the past 13 years resulted in the underlying district to be a "D" subdistrict (the past 45 cases). The few handful exceptions to the D subdistrict were instances where a property/building had two zoning districts, or a P-2 supplemental district was removed, so those minor cases were done to "clean up" the zoning record.

I understand that none of the D subdistricts allow for medical marijuana, which is why the C-O district is proposed.

Another concern is that, in May 2016, the City Council themselves initiated a zoning ordinance text amendment to the Medical Marijuana ordinance to reinforce the requirements. The link to the case is below:

<https://eservices.scottsdaleaz.gov/bldgresources/Cases/Details/46218>

We will schedule the pre-app soon; just wanted you to be aware of these issues to help you decide how to proceed. Let me know if you have any questions.

Thanks,
Tim Curtis

Cluff, Bryan

From: Cluff, Bryan
Sent: Wednesday, February 27, 2019 10:39 AM
To: 'George Pasquel'
Subject: 652-PA-2018 Winfield Scott MMJ

Importance: High

George,

A recent article was published regarding the potential for a medical marijuana facility to be located at the subject site for 652-PA-2018. As a result I have been receiving inquiries regarding the proposal. One of the nearby property owners brought to my attention a preschool that is located nearby on Winfield Scott (4221 N. Winfield Scott Plaza). See map below. Preschools are a protected use and a MMJ facility cannot be located within 1500 feet. This preschool appears to be only about 300 feet away from the proposed facility.

Thank you,

Bryan D. Cluff, LEED AP

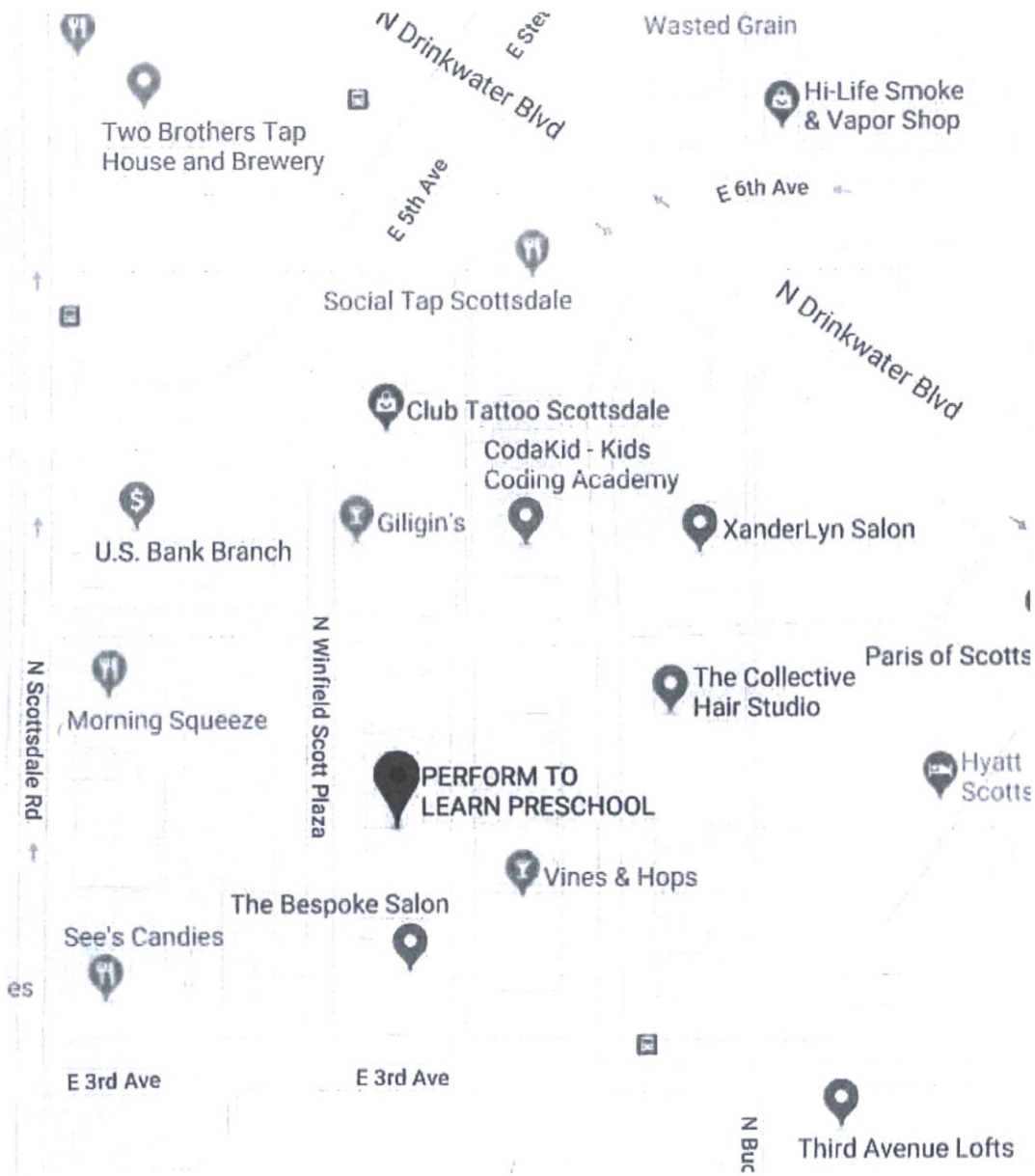
Senior Planner
City of Scottsdale
Planning & Development
Phone: 480-312-2258
Fax: 480-312-7088
bcluff@ScottsdaleAZ.gov

Get informed!

Subscribe to [Scottsdale P & Z](#) Link newsletter

 follow us on Facebook

 twitter



Cluff, Bryan

From: George Pasquel <george@witheymorris.com>
Sent: Friday, November 08, 2019 12:58 PM
To: Cluff, Bryan
Subject: RE: Sunday Goods

⚠ External Email: Please use caution if opening links or attachments!

Bryan,

Please accept this email as formal notice that Withey Morris, PLC is no longer representing Sunday Goods with regard to Scottsdale Case No. 2-UP-2019 and 5-ZN-2019 for the property located at 4255 N. Winfield Scott Plaza.

Thank you
George III

From: Cluff, Bryan <BCluff@Scottsdaleaz.gov>
Sent: Friday, November 8, 2019 10:38 AM
To: George Pasquel <george@witheymorris.com>
Subject: Sunday Goods

George,

Will you please send me something in writing stating that Withey Morris is no longer representing Sunday Goods?
Please reference 2-UP-2019 and 5-ZN-2019. I just need the record for the file.

Thank you,

Bryan D. Cluff, LEED AP
Senior Planner
City of Scottsdale
Planning & Development
Phone: 480-312-2258
Fax: 480-312-7088
bcluff@ScottsdaleAZ.gov

Get informed!

Subscribe to [Scottsdale P & Z](#) Link newsletter

 follow us on Facebook



OWNER / AGENT AUTHORIZATION

APPLICATION FOR ZONING/ BUILDING PERMITS/ LAND USE ENTITLEMENTS

Property Address: 4255 N Winfield Scott Plaza

Assessor's Parcel No. 173-51-072A

As the Property Owner of the address listed above, I/we authorize Rose Law Group, pc, their attorneys, representatives, agents, and/or consultants, to act as an Agent on my/our behalf for the sole purpose of consummating any building and land use permit and variance/waiver applications, or any other entitlements associated with this property. I/We understand that any application may be approved, modified or denied with conditions, and that such conditions or modifications must be complied with prior to issuance of building permits.

I/We further understand that signing of this authorization in no way creates an obligation of any kind.

Printed Name:

CARTER M. CRANE

Signature:

C. M. Crane

Date:

11/12/19

Appeals of Dedication, Exactions or Zoning Regulations



Rights of Property Owner

In addition to the other rights granted to you by the U.S. and Arizona Constitution, federal and state law and city ordinances or regulations, you are hereby notified of your right to appeal the following City actions relating to your property:

- 1) Any dedication or exaction which is required of you by an administrative agency or official of the city as a condition of granting approval of your request to use, improve or develop your real property. This appeal right does not apply to a dedication or exaction required as part of a city legislative act (for example a zoning ordinance) when an administrative agency or official has no discretion to determine the dedication or exaction.
- 2) The adoption or amendment of a zoning regulation that creates a taking of property in violations of Arizona and federal court decision.

Appeal Procedure

The appeal must be in writing and specify the City action appealed and the date final action was taken, and must be filed with or mailed to the hearing officer designated by the city within 30 days after the final action is taken

- No fee will be charged for filing
- The city Attorney's Office will review the appeal for compliance with the above requirements, and will notify you if your appeal does not comply
- Eligible appeals will be forwarded to the hearing officer, and a hearing will be scheduled within 30 days of receipt by the hearing officer of your request. Ten days notice will be given to you of the date, time and place of the hearing unless you indicate that less notice is acceptable to you.
- The City will submit a takings impact report to the hearing officer.
- In an appeal from a dedication or exaction, the City will bear the burden of proving that the dedication or exaction to be imposed on your property bears an essential nexus between the requirement and a legitimate governmental interest and that the proposed dedication or exaction is roughly proportional to the impact of the use, improvement or development you proposed.
- In an appeal from the adoption or amendment of a zoning regulation, the City will bear the burden of proving that any dedication or exaction requirement in the zoning regulation is roughly proportional to the impact of the proposed use, improvement, or development, and that the zoning regulation does not create a taking of property in violation of Arizona and federal court cases.
- The hearing officer must render his decision within five working days after the appeal is heard.
- The hearing officer can modify or delete a dedication or exaction or, in the case of an appeal from a zoning regulation, transmit a recommendation to the City Council.
- If you are dissatisfied with the decision of the hearing officer, you may file a complaint for a trial *nevo* with the Superior Court within 30 days of the hearing officer's decision.

For questions, you may contact:

City's Attorney's Office
3939 Drinkwater Blvd.
Scottsdale, AZ 85251
480-312-2405

Address your appeal to:

Hearing Officer, C/O City Clerk
3939 Drinkwater Blvd
Scottsdale, AZ 85251

Please be aware that City Staff cannot give you legal advice. You may wish, but are not required, to hire an attorney to represent you in an appeal.

Planning and Development Services

7447 E. Indian School Road, Suite 105, Scottsdale, AZ 85251 ♦ www.scottsdaleaz.gov

Affidavit of Authorization to Act for Property Owner



1. This affidavit concerns the following parcel of land:

- a. Street Address: 4255 N. Winfield Scott Plaza (APN No. 173-51-072A)
- b. County Tax Assessor's Parcel Number: 173-51-072A
- c. General Location: Winfield Scott and 5th Avenue
- d. Parcel Size: 4,800 sqft
- e. Legal Description: See attached

(If the land is a platted lot, then write the lot number, subdivision name, and the plat's recording number and date. Otherwise, write "see attached legal description" and attach a legal description.)

- 2. I am the owner of the land or I am the duly and lawfully appointed agent of the owner of the land and have authority from the owner to sign this affidavit on the owner's behalf. If the land has more than one owner, then I am the agent for all of the owners, and the word "owner" in this affidavit refers to all of them.
- 3. I have authority from the owner to act for the owner before the City of Scottsdale with regard to any and all reviews, zoning map amendments, general plan amendments, development variances, abandonments, plats, lot splits, lot ties, use permits, building permits and other land use regulatory or related matters of every description involving the land, or involving adjacent or nearby lands in which the owner has (or may acquire) an interest, and all applications, dedications, payments, assurances, decisions, agreements, legal documents, commitments, waivers and other matters relating to any of them.
- 4. The City of Scottsdale is authorized to rely on my authority as described in this affidavit until three work days after the day the owner delivers to the Director of the Scottsdale Planning & Development Services Department a written statement revoking my authority.
- 5. I will immediately deliver to the Director of the City of Scottsdale Planning & Development Services Department written notice of any change in the ownership of the land or in my authority to act for the owner.
- 6. If more than one person signs this affidavit, each of them, acting alone, shall have the authority described in this affidavit, and each of them warrant to the City of Scottsdale the authority of the others.
- 7. Under penalty of perjury, I warrant and represent to the City of Scottsdale that this affidavit is true and complete. I understand that any error or incomplete information in this affidavit or any applications may invalidate approvals or other actions taken by the City of Scottsdale, may otherwise delay or prevent development of the land, and may expose me and the owner to other liability. I understand that people who have not signed this form may be prohibited from speaking for the owner at public meetings or in other city processes.

Name (printed)

Date

Signature

CARTER M. CRANE, TRUSTEE

2/28, 2019

Carter M. Crane, Trustee

GEORGE PROQUEL III

2/28, 2019

[Signature]

_____, 20____

_____, 20____

Planning and Development Services

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 • w

February 4, 2019

City of Scottsdale
Planning and Development Services Department
7447 E. Indian School Road, Suite 105
Scottsdale, AZ 85251

Re: Authorization 4225 N. Winfield Scott Plaza, Scottsdale (APN No. 173-51-072A)

To whom it may concern:

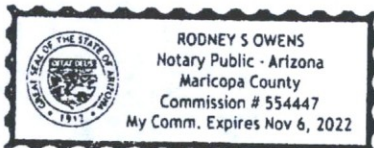
Please accept this letter and signature below as consent and authorization for Withey Morris, P.L.C. to file applications with the City of Scottsdale to obtain land use entitlements for the above stated property. I hereby certify that I am the owner or an authorized agent of the above stated property and that the information indicated here is true and correct to the best of my knowledge.

Carter M. Crane TR

By: _____

Its: _____

This instrument was acknowledged before me on this 27 day of February,
2019, by Carter Crane. In witness whereof I hereunto set my
hand and official seal.



Notary Public

My commission expires: 11/6/22

5-ZN-2019
3/6/2019

LEGAL DESCRIPTION

Lots 72 and 73, WINFIELD SCOTT PLAZA UNIT TWO, according to Book 67 of Maps, page 41,
records of Maricopa County, Arizona

5-ZN-2019
3/6/2019



Affidavit of Posting

Required: Signed, Notarized originals.

Recommended: E-mail copy to your project coordinator.

☐ Project Under Consideration Sign (White)

☒ Public Hearing Notice Sign (Red)

Case Number:

5-ZN-2019 & 2-UP-2019

Project Name:

Location:

4419 N Scottsdale Rd Ste 101

Site Posting Date:

July 26th, 2019

Applicant Name:

Withey Morris, PLC

Sign Company Name:

Dynamite Signs

Phone Number:

480-585-3031

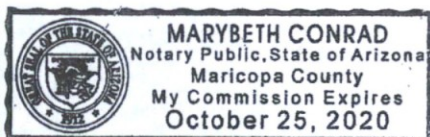
I confirm that the site has been posted as indicated by the Project Manager for the case as listed above.



Applicant Signature

7/26/19
Date

Return completed original notarized affidavit AND pictures to the Current Planning Office no later than 14 days after your application submittal.

Acknowledged before me this the 26th day of July 2019




Notary Public

My commission expires: 10-25-20

City of Scottsdale -- Current Planning Division

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 • Phone: 480-312-7000 • Fax: 480-312-7088



City of Scottsdale
PUBLIC NOTICE

scan,
snap,
save



ZONING/PUBLIC HEARING

CITY HALL: 3939 North Drinkwater Boulevard

PLANNING COMMISSION: 5:00 P.M., 8/14/2019

CITY COUNCIL: 5:00 P.M., TBD

REQUEST: Rezone from C-2/P-3 DO, P-2 DO to C-O/P-3 DO, P-2 DO and Conditional Use Permit for a Medical Marijuana use.

CASE NUMBER: 5-ZN-2019 & 2-UP-2019

Posting Date: 7/26/19

Project Location: 4255 N Winfield Scott Pz

Applicant/Contact:

Withey Morris, PLC

602-230-0600

George@witheymorris.com

City Contact:

Bryan Cluff

480-312-2258

bcluff@ScottsdaleAZ.gov

Case File Available at City of Scottsdale 480-312-7000

Project information may be researched at: <https://eservices.scottsdaleaz.gov/bldg/reson/cas>

-Penalty for removing or defacing sign prior to date of last hearing -Applicant Responsible for Sign Removal

7/26/19 11:56:23



Affidavit of Posting

Required: Signed, Notarized originals.

Recommended: E-mail copy to your project coordinator.

☐ Project Under Consideration Sign (White)

☒ Public Hearing Notice Sign (Red)

Case Number: 5-ZN-2019 & 2-UP-2019

Project Name: _____

Location: 4419 N Scottsdale Rd and Ste 101

Site Posting Date: September 13th, 2019

Applicant Name: Withey Morris PLC

Sign Company Name: Dynamite Signs

Phone Number: 480-585-3031

I confirm that the site has been posted as indicated by the Project Manager for the case as listed above.

Marybeth Conrad
Applicant Signature

9/13/19
Date

Return completed original notarized affidavit AND pictures to the Current Planning Office no later than 14 days after your application submittal.

Acknowledged before me this the 13th day of September 2019



Marybeth Conrad
Notary Public

My commission expires: 10.25.20

City of Scottsdale -- Current Planning Division

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 • Phone: 480-312-7000 • Fax: 480-312-7088



City of Scottsdale
PUBLIC NOTICE

scan,
snap,
save



ZONING/PUBLIC HEARING

CITY HALL: 3939 North Drinkwater Boulevard

PLANNING COMMISSION: 5:00 P.M., 8/29/2019

CITY COUNCIL: 5:00 P.M., 10/01/2019

REQUEST: Rezone from C-2/P-3 DO and P-2 DO to C-O DO, P-2 DO and a Conditional Use Permit for a Medical Marijuana use.

CASE NUMBER: 5-ZN-2019 & 2-UP-2019

Project Location: 4255 N Winfield Scott Pz

Posting Date: 7/26/19

Applicant/Contact:

Withey Morris, PLC

602-230-0600

George@witheymorris.com

City Contact:

Bryan Cluff

480-312-2258

bcluff@ScottsdaleAZ.gov

Case File Available at City of Scottsdale 480-312-7000

Project information may be researched at: <https://eservices.scottsdaleaz.gov/bidservices/Cases>

Penalty for removing or defacing sign prior to date of last hearing -Applicant Responsible

08/16/19 18:50:39



Affidavit of Posting

Required: Signed, Notarized originals.

Recommended: E-mail copy to your project coordinator.

☐ Project Under Consideration Sign (White)

☒ Public Hearing Notice Sign (Red)

Case Number: 5-ZN-2019 & 2-UP-2019

Project Name: _____

Location: 4419 N Scottsdale Rd and Ste 101

Site Posting Date: September 13th, 2019

Applicant Name: Withey Morris PLC

Sign Company Name: Dynamite Signs

Phone Number: 480-585-3031

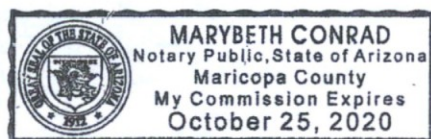
I confirm that the site has been posted as indicated by the Project Manager for the case as listed above.

Marybeth Conrad
Applicant Signature

9/13/19
Date

Return completed original notarized affidavit AND pictures to the Current Planning Office no later than 14 days after your application submittal.

Acknowledged before me this the 13th day of September 2019



Marybeth Conrad
Notary Public

My commission expires: 10.25.20

City of Scottsdale -- Current Planning Division

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 • Phone: 480-312-7000 • Fax: 480-312-7088



City of Scottsdale
PUBLIC NOTICE

scan,
snap,
save



ZONING/PUBLIC HEARING

CITY HALL: 3939 North Drinkwater Boulevard

PLANNING COMMISSION: 5:00 P.M., 8/29/2019

CITY COUNCIL: 5:00 P.M., 10/01/2019

REQUEST: Rezone from C-2/P-3 DO and P-2 DO to C-O DO, P-2 DO and a Conditional Use Permit for a Medical Marijuana use.

CASE NUMBER: 5-ZN-2019 & 2-UP-2019

Project Location: 4255 N Winfield Scott Pz

Posting Date: 7/26/19

Applicant/Contact:
Withey Morris, PLC
602-230-0600
George@witheymorris.com

City Contact:
Bryan Cluff
480-312-2258
bcluff@ScottsdaleAZ.gov

Case File Available at City of Scottsdale 480-312-7000

Project information may be researched at: <https://eservices.scottsdaleaz.gov/bldgresources/Cases>

Penalty for removing or defacing sign prior to date of last hearing -Applicant Responsible

8/19/19 18:50:39



Affidavit of Posting

Required: Signed, Notarized originals.

Recommended: E-mail copy to your project coordinator.

☐ Project Under Consideration Sign (White)

☒ Public Hearing Notice Sign (Red)

Case Number: **5-ZN-2019 & 2-UP-2019**

Project Name:

Location:

4419 N Scottsdale Rd and Ste 101

Site Posting Date:

September 6th, 2019

Applicant Name:

Withey Morris, PLC

Sign Company Name:

Dynamite Signs

Phone Number:

480-585-3031

I confirm that the site has been posted as indicated by the Project Manager for the case as listed above.

Mall Hitt

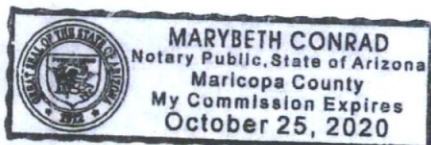
Applicant Signature

9/6/19

Date

Return completed original notarized affidavit AND pictures to the Current Planning Office no later than 14 days after your application submittal.

Acknowledged before me this the 6th day of September 2019



Marybeth Conrad
Notary Public

My commission expires: 10.25.20

City of Scottsdale -- Current Planning Division

7447 E Indian School Road, Suite 105, Scottsdale, AZ 85251 • Phone: 480-312-7000 • Fax: 480-312-7088



City of Scottsdale
PUBLIC NOTICE

scan,
snap,
save



ZONING/PUBLIC HEARING

CITY HALL: 3939 North Drinkwater Boulevard

PLANNING COMMISSION: 5:00 P.M., 8/29/2019

CITY COUNCIL: 5:00 P.M., TBD

REQUEST: Rezone from C-2/P-3 DO, P-2 DO to C-O/P-3 DO, P-2 DO and Conditional Use Permit for a Medical Marijuana use.

CASE NUMBER: 5-ZN-2019 & 2-UP-2019

Project Location: 4255 N Winfield Scott Pz

Posting Date: 7/26/19

Applicant/Contact:
Withey Morris, PLC
602-230-0600
George@witheymorris.com

City Contact:
Bryan Cluff
480-312-2258
bcluff@ScottsdaleAZ.gov

Case File Available at City of Scottsdale 480-312-7000

Project information may be researched at: <https://eservices.scottsdaleaz.gov/development/cases>

Penalty for removing or defacing sign prior to date of last hearing - Applicant Responsible for Sign Removal

2/26/2019 3:52:36